



69 Cascade Drive - Knowlton Building, Suite 101, Rochester, NY 14614 (888-250-9056 / F: 888-250-9057) www.webtitle.us

Title No.: WTA-10-6946-NY-FC

MORTGAGE FORECLOSURE CERTIFICATE

CERTIFIES TO: Shapiro, DiCaro & Barak, LLP
Client Ref. No.: Fidelity Tracking No. 100232163

Premises: 93 Old Brook Road
Dix Hills, NY 11746

County: Suffolk

Tax Map/Parcel ID No.: Dist: 0400 Sec: 282.00 Block: 02.00 Lot: 026.000

That a search has been made against the premises described in Schedule "A" to the date hereof, and title to said premises is vested of record in Christopher G. Turner and Christine Turner, his wife

By Deed from:

Grantor: Americo P. Silveri and Joan B. Silveri, Husband and Wife

Grantee: Christopher G. Turner and Christine Turner, his wife

Dated: October 8, 2004 **Recorded: October 28, 2004**

Liber: 12351 **Page: 725**

Prior Chain of Title (If Any): None

This certificate includes appended schedules, as follows:

Schedule A	Description of Mortgaged Premises
Schedule B	Mortgages and Assignments of Record
Schedule C	Necessary Parties Defendant
Schedule D	Exceptions, Objections and Other Information
Schedule E	Tax Search

Certified as of March 1, 2010

**SCHEDULE A
DESCRIPTION OF MORTGAGED PREMISES**

Title No.: WTA-10-6946-NY-FC

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Town of Huntington, County of Suffolk, and State of New York, known and designated as Lot No. 99 on a certain map entitled "Map of Dix Hills Village, Section 4 situate at Dix Hills, Town of Huntington, Suffolk County, New York" and filed in the office of the Clerk of the County of Suffolk on April 8, 1968, as Map No. 5072, being more particularly bounded and described as follows:

BEGINNING at a point on the southerly side of Cayuga Avenue distant 1100.13 feet southerly from the corner formed by the intersection of the southerly side of Otsego Avenue with the westerly side of Cayuga Avenue;

RUNNING THENCE easterly along the southerly side of Cayuga Avenue along the arc of a curve bearing to the left and having a radius of 225.00 feet and a length of 89.38 feet;

THENCE south 1 degree 31 minutes 39 seconds west 214.05 feet;

THENCE south 66 degrees 24 minutes 02 seconds west 253.32 feet;

THENCE north 24 degrees 17 minutes 22 seconds east 367.78 feet to the southerly side of Cayuga Avenue at the point or place of **BEGINNING**.



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SCHEDULE B

MORTGAGES AND ASSIGNMENTS OF RECORD

Title No.: WTA-10-6946-NY-FC

MORTGAGE TO BE FORECLOSED

ONE

Mortgagor:	Christopher G. Turner and Christine Turner
Mortgagee:	Mortgage Electronic Registration Systems, Inc., as nominee for Countrywide Home Loans, Inc.
Amount:	\$528,000.00
Dated:	October 8, 2004
Recorded:	October 28, 2004
Liber:	20896
Page:	12



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SCHEDULE B – CONTINUED

MORTGAGES AND ASSIGNMENTS OF RECORD

Title No.: WTA-10-6946-NY-FC

PRIOR MORTGAGES

Note: Mortgages contained in this section will not be cut-off in the action

NONE



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SCHEDULE B – CONTINUED

MORTGAGES AND ASSIGNMENTS OF RECORD

Title No. : WTA-10-6946-NY-FC

SUBORDINATE MORTGAGES

Note: Mortgages contained in this section will be cut-off in the action

ONE

Mortgagor:	Christopher G. Turner
Mortgagee:	Mortgage Electronic Registration Systems, Inc., as nominee for GMAC Mortgage Corporation DBA ditech.com
Amount:	\$150,000.00
Dated:	June 21, 2006
Recorded:	August 16, 2006
Liber:	21365
Page:	263



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SCHEDULE C

NECESSARY PARTIES DEFENDANT

Title No. : WTA-10-6946-NY-FC

This list of necessary parties defendant is made on the assumption that all parties are to be personally served in the proposed action. If any of the persons hereinafter named are deceased, their legal representatives and successors in interest should be made parties defendant after whose rights are subordinate to the mortgage to be foreclosed, such persons should also be made parties defendant after search has been amended. If any leases, mortgages or other liens are recorded prior to the period covered by this search, but which, by reason of subordination clauses contained therein or otherwise, are in fact subordinate to the lien of the mortgage to be foreclosed, all persons interested in said leases, mortgages or other liens should also be made parties defendant after search has been amended.

If the United States of America, State of New York, City of New York or any of its agencies, are made parties, the complaint must set forth the reason therefore in detail.
(See R.P.A. and P.L. Sec 202 and 202A and 28 U.S.C.A. 2410.)

The addresses of parties herein given were obtained from the record and are not represented to be the present addresses of the parties.

Consideration should be given to the desirability of naming as defendants the obligor named in the bond or in any extension, assumption of guaranty agreement.

All occupants of the premises herein described should be made parties defendant.

The Company should be requested to continue searches to the date of filing Lis Pendens.

PARTIES DEFENDANT

INTEREST IN PREMISES

1. Christopher G. Turner a/k/a Chrisophe Turner a/k/a Christophe G. Turner a/k/a Christopher Turner Christine Turner 93 Old Brook Road Dix Hills, NY 11746	Record Owner(s) and original obligor under the Bond secured by the Mortgage recorded on October 28, 2004 in Liber 20896 at Page 12.
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SCHEDULE C - Continued

NECESSARY PARTIES DEFENDANT

Title No. : WTA-10-6946-NY-FC

<p>2. Mortgage Electronic Registration Systems, Inc. 4318 Miller Road P.O. Box 2026 Flint, MI 48501 As Nominee For GMAC Mortgage Corporation d/b/a Ditech.com 3200 Park Center Drive Suite 150 Costa Mesa, CA 92626</p>	<p>Subordinate Mortgagee by virtue of Mortgage recorded on August 16, 2006 in Liber 21365 at Page 263.</p>
<p>3. Capital One Bank USA, N.A. 4851 Cox Road Glen Allen, VA 23060</p>	<p>Possible Subordinate Lienor by virtue of numerous (3) Judgments against name(s) similar to record owner(s), Christopher G. Turner a/k/a Chrisophe Turner a/k/a Christophe Turner a/k/a Christopher Turner, as referenced on attached printouts.</p>
<p>4. Petro, Inc. 520 Broadhollow Road Suite 200W Melville, New York 11747</p>	<p>Possible Subordinate Lienor by virtue of Judgment filed in Fourth District Court of Suffolk County for \$2,373.90 against Christopher Turner, 93 Old Brook Road, Dix Hills, New York 11746, dated October 23, 2009 and filed November 19, 2009, Receipt Number 09-0133550, Index Number SMC 09-0007847. Attorney of Record: Mullooly, Jeffrey, Rooney & Flynn, 6851 Jericho Turnpike, Suite 220, P.O. Box 9036, Syosset, New York 11791-9036.</p>



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SCHEDULE C - Continued

NECESSARY PARTIES DEFENDANT

Title No. : WTA-10-6946-NY-FC

5. People of The State of New York Mineola, New York 11501	Possible Subordinate Lienor by virtue of Judgment filed in County Court for \$320.00 against Christopher Turner, 1393B, 3 rd Avenue, Bay Shore, New York 11706, perfected November 28, 2007 and docketed January 23, 2008, Index Number 07IND164ON. Attorney of Record: District Attorney, Kathleen M. Rice.
6. Arrow Financial Services, LLC 5996 W. Touhy Avenue Niles, IL 60714	Possible Subordinate Lienor by virtue of Judgment filed in 4 th Court of District of Suffolk County for \$2,236.57 against Christine M. Guerrero a/k/a Christine M. Turner, 4 Ashwood Court, East Northport, New York 11731, perfected April 10, 2008 and docketed April 21, 2008, Index Number SMC 07 0016067. Attorney of Record: Mullooly Jeffrey Rooney & Flynn, 6851 Jericho Turnpike, Suite 220, P.O. Box 9036, Syosset, New York 11791-9036.
7. Crest Hall Nursing Home 63 Oak Crest Avenue Middle Island, New York 11953	Possible Subordinate Lienor by virtue of Judgment filed in Supreme Court of Suffolk County for \$106,843.40 against Christine Turner, C/O Oak Hollow Nursing Center, 49 Oakcrest Avenue, Middle Island, New York 11953, perfected March 11, 2008 and docketed March 11, 2008, Index Number 07 32317. Attorney of Record: Wolf Haldenstein Adler Freeman & Herz, LLP, 270 Madison Avenue, New York, New York 10016.



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SCHEDULE C – Continued

NECESSARY PARTIES DEFENDANT

Title No. : WTA-10-6946-NY-FC

8. John Doe and Mary Doe	Said names being fictitious, it being the intention of Plaintiff to designate any and all occupants, tenants, persons or corporations, if any, having or claiming an interest in or lien upon the premises being foreclosed herein.
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SCHEDULE D

EXCEPTIONS, OBJECTIONS AND OTHER INFORMATION

Title No. : WTA-10-6946-NY-FC

1. This report is issued for foreclosure purposes only. For fee insurance, if any, additional searches must be conducted and any questions arising there from, disposed of.
2. Rights of tenants or persons in possession of the subject premises.
3. Any state of facts that an accurate survey may show.
4. Covenants, easements, reservations and restrictions of record, if any.
5. Subject to any state of facts an accurate and full municipal/departmental search would disclose.
6. This Company should be requested to continue its searches at every phase of the foreclosure proceedings.
7. The pertinent sections of the Soldiers and Sailors Civil Relief Act must be conformed with.
8. Note: Compliance with Real Property Actions and Proceedings Law Section 1320 ("Special summons requirement in private residence cases") is required if the property mortgaged contains not more than three units.
9. Note: Compliance with Civil Practice Law and Rules Section 3215(g) (3) ("Default judgment") is required if a default judgment is to be obtained in the foreclosure of a mortgage on residential property.
10. Real Property Actions and Proceedings Law Section 1303 requires that a notice, captioned "Help for Homeowners in Foreclosure", containing required text, be delivered, in a mortgage foreclosure involving residential Real Property which is an owner-occupied one-to-four family dwelling, with the summons and complaint on colored paper that is a color other than that of the paper on which the summons and complaint are printed, and in a specified point type.



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SCHEDULE D -CONTINUED

EXCEPTIONS, OBJECTIONS AND OTHER INFORMATION

Title No. : WTA-10-6946-NY-FC

11. Real Property Actions and Proceedings Law Section 1304 requires that a notice containing required text in a specified point type be mailed by registered or certified mail and by first class mail to the borrower, and if different, to the residence which is the subject of the mortgage, at least 90 days before legal action is commenced, when the mortgage secures a "high-cost home loan", as defined in Banking Law Section 6-1, or a subprime home loan or a non-traditional home loan, as those terms as defined in RPAPL Section 1304.
12. Real Property Actions and Proceedings Law Section 1302 requires that any complaint served in the foreclosure of a "high-cost home loan" or a "subprime home loan" commenced on and after September 1, 2008 contain an affirmative allegation that at the time the proceeding is commenced, the plaintiff is the owner and holder of the subject mortgage and note, or has been delegated the authority to institute a mortgage foreclosure action by the owner and holder of the subject mortgage and note, and the plaintiff has complied with all of the provisions of Banking Law Section 595-A, and any rules and regulations promulgated thereunder, Banking Law Sections 6-1 of 6-m, and RPAPL Section 1304.
13. If the mortgage being foreclosed secures a "home loan", as defined in Real Property Actions and Proceedings Law Section 1304, proof of compliance with the notice requirements of RPAPL Section 1304 may be required for a policy to issue without an exception for the failure to comply with said notice requirements.
14. If the mortgage being foreclosed secures a "home loan", as defined in Real Property Actions and Proceedings Law Section 1303, proof of compliance with the notice requirements of RPAPL Section 1303 may be required for a policy to issue without an exception for the failure to comply with said notice requirements.
15. Proof of compliance with RPAPL 1306 is required.



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SCHEDULE D –CONTINUED

EXCEPTIONS, OBJECTIONS AND OTHER INFORMATION

Title No. : WTA-10-6946-NY-FC

16. National bankruptcy search against Christopher G. Turner a/k/a Chrisophe Turner a/k/a Christophe G. Turner a/k/a Christopher Turner, SS#: xxx-xx-4001 reveals nothing found of record.
- 16b. Bankruptcy search against Christine Turner reveals numerous bankruptcies of record against similar name(s). A more thorough Bankruptcy search will be conducted upon receipt of Social Security Number(s).
17. Surrogate search against Christopher G. Turner a/k/a Chrisophe Turner a/k/a Christophe G. Turner a/k/a Christopher Turner, and Christine Turner reveals nothing found of record.
18. There is an apparent scrivener's error contained in the legal descriptions in the Source Deed in Liber 12351, page 725 and mortgage to be foreclosed herein in that the preamble paragraph incorrectly recites the date of recording of the filed map as "April 8, 198=69" when it should read "April 8, 1968". Schedule A herein has been typed to correct the error.
19. Christopher G. Turner is also known as Chrisophe Turner and is also known as Christophe G. Turner and is also known as Christopher Turner and should be served under all names.
20. For questions regarding this Certificate, please contact Melissa Zwerka/JLS, (585) 454-4770 ext. 240.



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Tax Search

Title No.: WTA-10-6946-NY-FC
Date: April 12, 2010
Client Name: Shapiro, DiCaro & Barak, LLP
Client No.: Fidelity Tracking No. 100232163
Assessed Owner: Christopher G. Turner
Assessed Value: Land: \$550.00 Total: \$5,550.00
Tax Address: 93 Old Brook Road
Town: Huntington
County: Suffolk
State: New York
Tax Account No.: Dist: 0400 Sec: 282.00 Block: 02.00 Lot: 026.000
School District: Half Hollow Hills
Class Code: 210 - Single Family Residence
Lot Size: To Follow

Notes:

- Subject to Future installments of special assessments for improvement, if any.
- New York Real Property Tax Law Section 302 and 520 may affect the real estate tax liability, if the premises described in Schedule "A" have a tax exemption.
- Subject to Unpaid Water and/or Sewer Charges, If Any.
- Subject to Any State of Facts an accurate municipal/departamental search would disclose.

-Tax Search Continued-

TAX SEARCH DOES NOT GUARANTEE AGAINST EXISTENCE OR SIDEWALK/CURB ASSESSMENTS WHICH ARE NOT REFLECTED IN REAL ESTATE TAX RECORDS AS OF SAID POSTING DATE. NO LIABILITY SHALL BE INCURRED FOR ERRONEOUS OR INACCURATE INFORMATION PROVIDED BY THE DEPARTMENT OF FINANCE, TREASURER, OR APPLICABLE MUNICIPAL TAXING AUTHORITY, INCLUDING BUT NOT LIMITED TO ERRORS DUE TO LOADING, KEY ENTRY, PROCESSING, DATA COMMUNICATION, HARDWARE AND SOFTWARE PROBLEMS, OR THE BACKDATING OF ANY INFORMATION. RESPONSIBILITY LIMITED TO THOSE ITEMS AND INSTALLMENTS THAT ARE LIENS AS OF THE DATE OF THIS REPORT AND REFLECTED ON THE PUBLIC RECORDS. RECENT PAYMENTS REFLECTED MAY BE SUBJECT TO COLLECTION. TAX SEARCH DOES NOT COVER ANY PART OF THE STREETS ON WHICH THE PREMISES TO BE INSURED ABUT; NOR DOES IT COVER VAULT CHARGES AND ADDITIONAL CHARGES DUE TO BUILDING PURPOSE CHARGES FOR UNFIXED FRONTAGE. TAX EXEMPTIONS MAY BE RESTORED ON THE DATE OF CONVEYANCE OR UPON DEATH OF THE RECORD OWNER. PLEASE REQUEST THE SELLER OR BORROWER TO HAVE RECEIPTED BILLS AVAILABLE AT THE TIME OF CLOSING.



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Tax Search - Continued

Title No.: WTA-10-6946-NY-FC

Property Tax Status:

LIEN SOLD / TAX -

PAID TO DATE ☐ / UNPAID CURRENT YEAR ☐ / UNPAID ARREARS ☐ / FORECLOSURE PENDING ☐

Property Tax Summary:

A COMPLETE TAX SEARCH TO FOLLOW

Municipal/Departmental Search Summary:

☒ No municipal/departamental search has been conducted

☐ The following municipal/departamental searches have been conducted:

Description:

Search Results Summary:

Description:

Search Results Summary:

Tax Payment Information:

Tax Type: Payee: Payee Address:

Tax Type: Payee: Payee Address:

Tax Type: Payee: Payee Address:



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A Corporation duly incorporated under the Laws of the State of New York, for a valuable consideration to it paid, does hereby certify to the record owners of an interest in or specific lien upon the premises hereinafter referred to or described, that upon examination of the Grantor and Mortgagor Indexes to the Records in the Office of the Clerk of the County in which subject premises is located, for Deeds of Conveyance, Wills, Powers of Attorney, and Revocations thereof, Mortgages, Indexes for General Assignments, Affidavits of Foreclosure, Assignments of Mortgages, Sheriff's Certificates of Sales, Homestead Exemptions, Lien Book of Welfare Commissioners, Miscellaneous Records, Orders Appointing Receivers, the Mortgage Book of Loan Commissioners of the United States Deposit Fund, Leases, Contracts, Notice of Pendency of Action, State Criminal Surety Bond Liens, Individual Surety Bond Lien Docket, Index of Incompetency, and Surrogate Indexes, against the names disclosed in Schedule D of this Foreclosure Certificate, during the record period of such ownership respectively from and including the date of the mortgage to be foreclosed herein, to the Certification Date herein.

And that it finds the items set forth in the foregoing Foreclosure Certificate, and nothing more, and that said items are correctly set forth, and that there is nothing more in said indexes which appears to affect the premises or any part thereof, described on Certification Page of this Foreclosure Certificate, and Schedule A Description of Mortgaged Premises herein (except liens or encumbrances correctly discharged of record).

And WebTitle Agency further Certifies that no Judgment appears upon the docket books to have been docketed during the last ten years, and no Collector's Bond filed and indexed during the last twenty years, and no Financing Statements affixed to Real Property indexed during the last five years, and no Federal Tax Lien filed during the last ten years and no Mechanic's Lien or Lien Bond filed and indexed during the last year, in said Clerk's Office, against any of the persons who appear from the foregoing Foreclosure Certificate, to have held any title to said premises during said periods, which is a lien on said premises, except as correctly set forth in said Foreclosure Certificate, including those taken from the records and files of the Office of the Surrogate Court, are correctly abstracted.

Searches have not been made for, and this Foreclosure Certificate does not cover, General Assignments, Order Appointing Receivers and Petitions in Bankruptcy against Judgment Creditors and Minor Lienors, Searches for Financing Statements under the Uniform Commercial Code have been made only in the office of the Recording Officer of the County in which the premises are situated, and in counties having a block index system only against the block in which the property is situated.

No inspection of premises, report on streets or searches for violations in Municipal or other governmental departments have been made; nor have searches been made for corporation franchise taxes or license fees, Federal and State inheritance, transfer or estate taxes. Upon request, the company will obtain a report from the State Tax Commission on corporation franchise taxes, license fees or state transfer or estate taxes upon payment of \$1.00 for each name, but no responsibility for the correctness of such reports will be assumed by this company.

This certificate is made for and accepted by the applicant upon the express understanding that: (1) it is to be used only for the foreclosure of the within described mortgage or for the taking of a deed in lieu of foreclosure and for no other purpose; (2) no policy of title insurance is to be issued; (3) if a deed in lieu of foreclosure is taken, the company shall not be liable should the deed be attacked by the grantor, his successors or creditors for inadequacy of consideration or as to the capacity of the record owner to execute such a deed or for any other reason; (4) the company shall not be liable for defects in title, liens, restrictive covenants or any other encumbrance existing or created prior to the date of the aforesaid mortgage to be foreclosed; (5) this certificate shall be null and void if the applicant, his attorney or agent makes any untrue statement with respect to any material fact or suppresses or fails to disclose any material fact or if any untrue answers are given to this company to material inquiries before the issuance of this certificate; (6) any damages hereunder are limited to \$1,000.00, which damages the party for whom this report has been prepared shall sustain by reason of the Company's failure to report a lien or matter junior to the mortgage to be foreclosed.